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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
CHANKONG, DOHM

ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 May 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,6,11 and 16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 6, 11, 16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1> This action is in response to Applicant's request for continued examination. Claims 1,

6, 11 and 16 are amended. Claims 2-5, 7-10, 12-15 are cancelled.

2> This is a non-final rejection.

Continued Examination Under 37 CFR 1.114

3> A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant

to 37 CFR 1.114. Applicant's submission filed on 5.12.2006 has been entered.

Response to Arguments

4> Applicant's arguments with respect to claims 1, 6, 11 and 16 have been considered but

are moot in view of the new ground(s) of rejection.

Claim Objections

5> Claims 1, 6, 11, and 16 are objected to because of the following informalities: the claims

state, in part: "...wherein the probability is calculated based solely on the actions of the

particular use...". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6> Claims 1, 6, 11 and 16 are rejected under 35 U.S.C §103(a) as being unpatentable over

Horvitz, U.S Patent No. 6.182.133, in view of Takagi et al, U.S Patent No. 5.881.231

["Takagi"], in further view of Barrett et al, U.S Patent No. 5.727.129 ["Barrett"].

7> As to claim 1, Horvitz discloses a system for facilitating communication between a

user and a network of information items, comprising:

a remote data storage device for storing the information items, wherein the

information items are stored in the form of pages, and wherein the pages contain a plurality

of links to other information items [column 47 «lines 9-34» where : Horvitz's web server

corresponds to a remote data storage device];

a multi-layer architecture comprising:

a client device having a user interface program thereon, for allowing a user to

interface with the network and request the information items [column 8 «lines 16-

59»];

a server device, in communication with the client device and in

communication with the remote storage device, for handling information requests

from multiple clients and for storing information retrieved from the data storage

devices locally in a server cache memory [column 26 «lines 30-44» where : Horvitz's

proxy server corresponds to the claimed server device];

a data collection module for collecting and storing successive actions of the user

[Figure 16 «item 1605» | column 3 «lines 42-48» | column 4 «lines 4-19» | column 41 «lines 44-

67» where : prefetching is based on user models that rely upon, in part, current and prior

interaction of the user and recent sequences of pages downloaded to a user];

a probability module in communication with the data collection module for

calculating a probability for the desirability of the links based on the action of the particular

user [Figure 16 «items 1610, 1615» | column 4 «lines 4-19»] and for comparing the probability

to a predetermined threshold value to identify predicted links [column 4 «line 63» to column

5 «line 18»] and for retrieving the predicted information items associated with the links from

the remote data storage devices [column 4 «lines 30-36»] and enabling the storage of the

predicted information on both the client device layer and the server device layer of the multi-

layer architecture in advance of the particular user's request for the selected information

items [column 4 «lines 20-47» | column 26 «lines 30-44»], the probability module further

configured to:

> update the probabilities assigned to the links with each successive user activity
>
> [column 4 «lines 4-12» | column 9 «lines 59-62» where : the user model reflects the
>
> probabilities of pages that may be prefetched];
>
> abort retrieving the predicted information items [column 4 «lines 50-62» |
>
> column 5 «lines 11-18»];

continue retrieving the predicted information items from the remote data

storage devices and storing the predicted information items in the server cache

memory if the user requests the predicted information item [column 41 «lines 25-41»];

download the user requested information item to the client from the server

cache memory [column 26 «lines 30-44»];

wherein the probability is calculated based solely on the actions of the particular user

and not as a member of a larger set of users [column 9 «lines 59-62» | column 41 «lines 44-

67»].

Horvitz does not teach a user that is authenticated or the feature of aborting retrieval

of predicted items if the user requests an information item other than the predicted

information items.

8>   In the same field of invention, Takagi is directed towards a system for prefetching

information [abstract]. Takagi further discloses first authenticating a user before collecting

user actions [column 9 «lines 61-64»]. It would have been obvious to one of ordinary skill in

the art to modify Horvitz to include Takagi's user authentication feature. Takagi teaches that

such a feature is beneficial to a prefetching system because it prevents user information from

being leaked to other users [see Takagi, column 9 «lines 64-66»].

9>   Further, Horvitz teaches aborting retrieval of predicted items but does not bas the

aborting feature on a user action. Barrett teaches a network data communication system

wherein a probability module aborts the retrieval of predicted information items if the user

requests an information item other than the predicted information items [abstract | Figure 7

<items 58, 64> | column 9 <lines 1-16>]. It would have been obvious to one of ordinary skill in

the art at the time the invention was made to implement the functionality of module-

initiated abortion of the retrieval of predicted information items in Horvitz's system. One

would have been motivated to do this implementation to prevent unnecessary downloading

of unwanted content in Horvitz's system based on a user action.

10>   As to claims 6, 11 and 16, as they do not teach or further define over the previously

claimed limitations, they are similarly rejected for at least the same reasons set forth for

claim 1.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Herz et al, U.S Patent No. 5.754.939;

Malkin et al, U.S Patent No. 6.085.193;
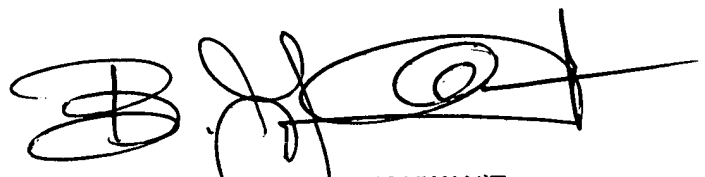
Glance et al, U.S Patent No. 6.415.368;

Nguyen, U.S Patent No. 6.584.498;

Edwards et al, U.S Patent No. 6.591.288.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Monday-Thursday [7:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER